

H 9236

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ment, insert "": *Provided further*, That S. 2848, as introduced on September 30, 1988, is enacted".

Mr. OBEY (during the reading). Mr. Speaker, I ask unanimous consent that the Senate amendment be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

MOTION OFFERED BY MR. OBEY

Mr. OBEY. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. OBEY moves that the House concur with the Senate amendment to the House amendment to the Senate amendment No. 176.

POINT OF ORDER

Mr. ARCHER. Mr. Speaker, I rise to make a point of order against the motion to concur in Senate amendment No. 176 under clause 5(b) of rule 21 because it constitutes a tax or tariff amendment which has not been reported by the committee having jurisdiction over such matters and has not been offered to a bill which was reported by such committee.

The SPEAKER pro tempore. Does any Member desire to be heard on the point of order of the gentleman from Texas?

Mr. OBEY. Mr. Speaker, I concede the point of order.

The SPEAKER pro tempore (Mr. GRAY of Illinois). The point of order is conceded and sustained.

MOTION OFFERED BY MR. OBEY

Mr. OBEY. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. OBEY moves that the House disagree to the Senate amendment to the House amendment to the Senate amendment No. 176.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 182.
Resolved, That the Senate agree to the amendment of the House of Representatives to the amendment of the Senate numbered 182 with an amendment as follows: After "Fund" at the end of the amendment, insert "": *Provided further*, That the United States Government shall not assist the missile program of the People's Republic of China in any manner, including approving of the export of satellites employing United States technology for launch by Chinese missiles, until the President certifies to the Congress that China is not supplying missiles to Iran, Iraq, Syria, Libya, or Saudi Arabia, and has provided reliable assurances that no future sales of missiles to such countries are planned."

Resolved, That the Senate agree to the amendment of the House of Representatives to the amendment of the Senate numbered 182 with an amendment as follows: After "Fund" at the end of the amendment, insert "": *Provided further*, That title V of S. 2757 as reported by the Senate Committee on Foreign Relations on September 7, 1988, is hereby enacted into law."

Resolved, That the Senate agree to the amendment of the House of Representa-

tives to the amendment of the Senate numbered 182 with an amendment as follows: At the end of the amendment, insert "It is the sense of the Senate that the President be urged to undertake discussions and negotiations with other nations, which are principal suppliers of arms in the Mideast, to limit to the maximum extent possible, the sale of arms to nations in the Mideast."

Mr. OBEY (during the reading). Mr. Speaker, I ask unanimous consent that the Senate amendment be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

MOTION OFFERED BY MR. OBEY

Mr. OBEY. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. OBEY moves that the House disagree to the Senate amendment to the House amendment to the Senate amendment No. 182.

Mr. WALKER. Mr. Speaker, I reserve the right to object.

The SPEAKER pro tempore. Does the gentleman from Wisconsin [Mr. OBEY] desire time on the motion?

Mr. OBEY. Yes, Mr. Speaker, I do.

The SPEAKER pro tempore. The gentleman from Wisconsin [Mr. OBEY] is recognized for 30 minutes.

PARLIAMENTARY INQUIRY

Mr. WALKER. Mr. Speaker, Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. WALKER. Thirty minutes has been yielded to the gentleman from Wisconsin [Mr. OBEY]; does that mean 30 minutes will be yielded to the gentleman from Oklahoma [Mr. EDWARDS]?

The SPEAKER pro tempore. The gentleman is absolutely correct.

Mr. WALKER. I thank the Chair.

Mr. OBEY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the House is at a very critical moment with respect to this session. We have the last remaining obstacles before us that will prevent sending to the White House the first free-standing foreign operations appropriations bill in 7 years. The Senate chose to add three items to this bill in the form of amendment No. 182. The first item is a sense of the Congress amendment with respect to future sales of Maverick missiles. I do not think there is any serious objection to that portion of the amendment.

There are two very serious problems that remain with the rest of the amendment and they have necessitated the White House instructing me that if this amendment is not rejected they will veto the bill. Those two provisions are two provisions by Senator HELMS. One suggests that the United States shall not approve the export licenses for any material for satellites which would be injected into orbit by

Chinese missiles unless the President certifies that the Chinese are not supplying missiles to a number of countries.

I think all of us agree with the sentiments expressed in that amendment. But very frankly I think that before Members take the very serious step of supporting this amendment they ought to approach a number of Members of the House and ask what has been happening diplomatically to deal with this problem. I do not think it is productive to talk about it in public, but I do think it is important that people understand what the administration is trying to achieve.

I stand here tonight as someone who very often is an opponent to the administration on both domestic programs and on foreign policy, but I am persuaded after discussing this matter with the Secretary of State this evening that it would be a very serious mistake for those who want to see our friends in the Middle East protected and for those who want to see the Chinese restrain themselves from supplying missiles that we do not want to see provided to that region of the world, to adopt this amendment.

I have discussed this with, for instance, the Executive Director of the Organization of Middle East concerned with Israel, AIPAC, and I have been told that they oppose the adoption of this amendment and want this bill sent on to the President clean.

There is also a third provision in the amendment which I find most disturbing because that amendment would limit the President's discretion in terms of the granting of diplomatic immunity to foreign diplomats. Again the purpose of the amendment is laudable. The purpose is to give us greater ability to pursue through our legal system diplomats who violate the privilege of representing their country in the United States. No one can argue with that goal but the fact, Mr. Speaker, is that if this amendment were to be adopted it would open our diplomats, in the judgment of the White House and in the judgment of the State Department, it would open our diplomats to the kind of risk worldwide that they do not feel they ought to incur. It would, for instance, say, it would prohibit the President from applying immunity to a foreign diplomat if he is suspected of a crime even though that crime had not been adjudicated. We can imagine how easily that same principle could be used to put any of our diplomats any other place in the world at risk. It could also require us to ask that country to waive immunity if that diplomat had been accused of a crime. That means that the political opposition of any foreign country, of any foreign government, could merely, by accusing one of their own diplomats of a crime, require us to ask that immunity be waived.

I have a letter from the Secretary of State which reads as follows:

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As I discussed with you on the phone, the Administration has major difficulties with Senate action on HR 4637, the Foreign Operations Conference Report. Of particular concern are the serious changes affecting diplomatic immunity, changes that will jeopardize reciprocal immunities and thereby threaten the well being of American diplomats around the world. The provision also contains serious constitutional defects. If this provision is contained in the enacted bill and presented to the President, his senior advisors will recommend that the bill be vetoed.

This is verified by representatives of the White House itself in conversations we had with them just 20 minutes ago.

In addition, there are two other provisions adopted by the Senate that are particularly objectionable. The imposition of sweeping sanctions against Iraq will be counterproductive to our efforts to deal effectively with the use of chemical weapons in the Gulf region and will seriously undermine our efforts to maintain a dialogue with the Government of Iraq.

Finally, the Senate's action concerning the sale of missiles and the launching of satellites by China is unnecessary and unacceptable. Both of these concerns are being addressed through high level approaches to the Chinese, including the recent visit of Secretary Carlucci.

I would urge any Member of this House who is thinking of voting for the amendment to contact Secretary Carlucci to get his personal view of this amendment before considering voting for the amendment. I think if you listen to his reasons you will find good reason to reject the amendment because rejecting this amendment is in the interest of the United States and it is in the interest of the countries that the Helms amendment is trying to help.

The letter says:

The Administration is dealing with these issues in an appropriate manner and the Senate amendment represents an infringement on the President's ability to resolve these issues in a manner satisfactory to the Congress and the Administration.

I would urge that Members recognize that we have two matters of substance which are very serious before us. We also have a matter of utmost importance in clearing the deck of all appropriations so that we can, as we have tried to promise so often, finally deliver unencumbered all 13 appropriation bills to the President for his signature.

□ 2230

And I would urge that Members, despite the very laudable goals represented by both the Helms amendments, I would urge you to support the administration, support the interests of this country and the Congress and turn down the amendment.

Mr. Speaker, I reserve the balance of my time.

Mr. EDWARDS of Oklahoma. Mr. Speaker, I yield myself such time as I may consume. Mr. Speaker, the chairman of the subcommittee is correct that this is a difficult question that is before us. He is also correct in that

the provisions that were added by the Senate to our bill are for the most part laudable. I would like particularly to concentrate attention for just a moment on the provisions with respect to diplomatic immunity. What is it that the people in the other body have asked us to add to this bill? The heart of it, the heart of the Helms amendment is a provision that says whenever there is probable cause to believe that an individual who is entitled to immunity from criminal jurisdiction of the United States may have committed a serious criminal offense, particularly a crime of violence, the Secretary of State shall request the foreign ministry of the country such individual represents to waive the immunity of that individual.

If such waiver is denied, the Secretary of State shall declare that individual non grata or insure the removal from the United States. We are not talking here about just willy-nilly kicking out foreign diplomats because some representatives of the opposition in their country points the finger at some diplomat in this country and asks us to remove him.

We are talking about probable cause, we are talking about serious offenses.

There are many cases that we all know about where individuals in this country have been harmed by the actions of diplomats from other countries who are immune from our justice system. And it seems to me that in that regard at least on this particular provision, the Senator from North Carolina adds something that probably most Members of this House would agree with.

I know that the State Department is recommending a veto. I am always amazed by the things that prompt the State Department's concerns. But I would say that what is contained in this provision in regard to immunity is something that ought to be enacted by the Congress.

I would be personally quite satisfied if the Speaker of the House, who is in the Chamber at the moment, and the majority leader of the Senate would agree that we would be able to have a separate vote before we adjourn in both Houses on the diplomatic immunity question.

The bill has been pending. Many leading Members on both sides of the aisle have supported that bill and tried to get it to come to the floor so we could act on it. That has not happened.

There are probably better ways to act than to have had this added in the Senate on this bill. I am as eager to finish the appropriations process as everyone else is. I am no happier being here at 10:30 at night debating this than anybody else is, but we have to look at it on its merits. And on its merits the diplomatic immunity provisions of the Helms amendment are correct. They represent actions that ought to be taken by this House. It puts us in a difficult position, there-

fore, to vote to disagree with that action.

Mr. Speaker, I reserve the balance of my time.

Mr. OBEY. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, I simply would ask this: Under the Helms amendment who defines probable cause? The amendment does not say.

I would ask: Who defines what is a prima facie case? The amendment does not say.

It requires that we ask the foreign country to waive immunity. In the case of a sex offender, the administration tells me that they do not want immunity waived because if immunity were waived and that diplomat were prosecuted we would have a problem. We could be liable for treatment for him. We could incur large expenses when what we want to do is to get rid of him. It just seems to me that we ought not at 10:30 at night be debating a very sensitive and very complicated question which could involve the security and safety of every American diplomat around the world if other countries wanted to apply this same logic to our own diplomats.

Mr. EDWARDS of Oklahoma. Mr. Speaker, I yield 5 minutes to the gentleman from Pennsylvania [Mr. WALKER].

Mr. WALKER. I thank the gentleman for yielding.

Mr. Speaker, I think the question before us here: Are we representatives of the State Department or are we representatives of the people? Because we have a couple of very, very important questions to look at here.

First of all, the gentleman from Wisconsin told us a little while ago there were some nations that we were not allowed to sell missiles to under the Helms amendment. We had better know which nations those are. If you vote against upholding the Helms amendment, you are voting to allow the Chinese to sell missiles to Iran, Iraq, Syria, and Libya.

Now those are certainly places that we want the Chinese sending missiles. In my opinion, no, no. I do not think we have any desire whatsoever to have the Chinese selling missiles to those countries. The Helms amendment says specifically we are not going to send satellite technology to them, if they continue to sell missiles to those nations.

Also I think we have an issue here of our domestic launch industry. We have a launch industry that we are trying to get off the ground. It is a very, very important component part of the mixed fleet that we need.

You will drive that launch industry further away from being economically successful if in fact you allow the Chinese to go into unfair competition with them.

In my mind that is not the right approach to take.

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So that in approving the Helms amendment what you help us do is get the mixed fleet that we have long said we need as a part of our space launch industry.

Finally, I would like to deal with the matter of diplomatic immunity because we are saying that that is important as far as our diplomats go. Well, what about the American people? What about our folks who are being attacked by diplomats in this country and are being left without any recourse as a result of those attacks? There are a couple of examples that I think we ought to be aware of. There was a girl in the Metropolitan Washington area who was raped by sons of diplomats who taunted her throughout the rape with the idea that she could not do anything because they had diplomatic immunity. Well, they were right. There was absolutely nothing we could do in that case because they did have diplomatic immunity. It was a disgusting case.

We have a fellow by the name of Ken Skeen. He was shot several times by the son of a Brazilian Ambassador. As it turned out, the ambassador's son, who had diplomatic immunity, had previously been involved in at least one other serious crime. Yet nothing had been done to him.

Mr. Skeen in testifying before the Congress had this frustration and I quote, "I am an American. He is over here in my country, on my property. He shoots me. I am working. And I look like I am the bad guy, and he walks away scot-free. I was just wondering if anybody here can explain how anybody can get away with attempted murder, running over people, raping women in this country. We have a very civilized country. We are not a country where we do not have laws. We protect our people."

Mr. Skeen has a right to feel that he should be protected.

Under the Helms amendment here we are going to protect our people against diplomats who run wild and use diplomatic immunity to cover their crimes. I would suggest that if you vote against the Helms amendment as it has been presented in this House you are voting to do three things: You are voting to allow the Chinese to sell missiles to Iran, Iraq, Syria, and Libya; you are voting to bring about a problem for the domestic launch industry, our ELV's and you are voting to allow criminals among the diplomatic community to continue to use their immunity as a way of getting off from their crimes scot-free.

I do not think very many people want to vote that way unless, of course, you are voting pro-State Department and against the people.

Mr. OBEY. Mr. Speaker, I yield 3 minutes to the gentleman from New York [Mr. SOLARZ].

Mr. SOLARZ. Mr. Speaker, we have heard that if you are against the sale of intermediate range missiles by China to Iran, Iraq, Libya, or Syria,

you should vote in favor of the Helms amendment. Let me suggest to you that if in fact you are concerned about the possibility that China might sell intermediate range missiles to countries like Iraq, Iran, Libya, and Syria, you ought to vote against the Helms amendment and in favor of the motion by the gentleman from Wisconsin [Mr. OBEY] to vote "aye" on his motion to disagree with the Helms amendment.

This is a diabolical amendment. It is a diabolical amendment because if it is adopted it is likely to achieve precisely the result it is ostensibly designed to prevent.

A few weeks ago the Secretary of Defense, not the Secretary of State, the Secretary of Defense Frank Carlucci was in China. When he was in Beijing he had discussions with people at the very highest levels of the Chinese Government. And as a result of those discussions which we are not in a position, for reasons of confidentiality, to disclose on the floor of the House, I think it is safe to say that we can be reasonably confident that if we defeat this amendment and if the sale of an American satellite to Australia for launch on a Chinese missile goes forward, that in fact, China will not be selling intermediate range missiles to Iran, Iraq, Libya, and Syria. But if the Helms amendment should be adopted, the fact of the matter is that pursuant to that amendment the President of the United States would be neither able nor willing to provide the precise kind of assurances called for by the amendment.

As a consequence of that, we would not be in a position to authorize the sale of the satellite to Australia for launch on the Chinese missile, as a consequence of which the sale will not go forward and China is unlikely to be constrained in its potential willingness to sell intermediate range missiles to these terrorist countries in the future.

This amendment in fact is opposed not only by the President who indicates he will veto it; not only by the Secretary of Defense who thinks it could have significantly negative strategic consequences for the United States given the degree to which it would impair our relationship with China; it is even opposed by APAC, which believes that it would be counterproductive in terms of Israel's interests in the Middle East.

Now I would simply suggest that even if you disregard completely the implications of the Helms amendment for the global balance of power in our strategic relationship with China, if all you are concerned about is the survival and security of the state of Israel, if you do not want countries like Libya and Iran and Iraq to have Chinese missiles, the best way to prevent that from happening is to vote "aye" on Mr. OBEY's motion and defeat the Helms amendment.

Mr. EDWARDS of Oklahoma. Mr. Speaker, I yield 5 minutes to the gentleman from New Mexico [Mr. LUJAN].

Mr. LUJAN. I thank the gentleman for yielding.

Mr. Speaker, I take the floor because we have held 2 days of hearings on this issue of the Long March launch rocket. During those 2 days we were very concerned about granting this license, because we were all very involved, particularly on our Committee on Science, Space and Technology of building up our domestic launch industry. We are very committed to that. We want to do that. Certainly we do not want any competition. We do not want any competition from the French, we do not want any competition from the Chinese, we do not want any competition from anyone. And so I went into this hearing thinking that it was a good idea, that it sounded good, that we deny the export license because then we would not face that competition.

I went in with the idea that it was very patriotic for others to do that, to oppose the Chinese from launching any of the satellites that we might work on. And I thought that it was the best thing to do, to deny the license to launch those satellites.

Originally I thought that that is the side that I would come down on. But after 2 days of hearings I became concerned that maybe that was not the direction that we wanted to go in, that perhaps that was not the direction we wanted to take in order to save our embryonic launch industry.

□ 2245

I thought there were other ways to do it. We heard from the builders of the satellites. We heard from the launchers, those that would be affected by the competition. We, of course, heard from the Department of State and the Department of Defense as to their views, because we were concerned about the national and the security implications of granting this license to launch on the Long March vehicle. The Department of Defense, which was my greatest concern, to be honest about it, told us that there was no problem with doing that; the Department of Defense favors issuing this license.

What did we find in these 2 days of hearing? Well, first of all, we found that with respect to the satellites, two of them belonged to Australia, and the third one belongs partially to the People's Republic of China; as a matter of fact, one-third is to a consortium from Hong Kong, and the other third to a British company. And they told us, particularly the British, the British company representative, that that is what they wanted. They wanted it for reasons other than just costs; they wanted it launched on the Chinese Long March rocket because of business considerations on their part.

So what they were telling us in effect was this: "OK, we hired an American company to do the work on the satellites, but then belong to us,

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look upon this amendment coming at this hour and at this time as rather a mischievous one.

We would all do ourselves a favor this evening by voting down that amendment, with my assurance that when it gets back to the other body they will accept the decision of the House in that respect and we will have a foreign aid bill that will pass muster down at the White House.

I urge you to vote "no."

Mr. CONTE. Mr. Speaker, will the gentleman yield?

Mr. MICHEL. I am happy to yield to my friend, the gentleman from Massachusetts.

Mr. CONTE. Mr. Speaker, the gentleman mentioned the same thing that I did. Vote no on the Helms amendment, but vote aye on the Obey motion.

Mr. MICHEL. Oh, absolutely.

Mr. EDWARDS of Oklahoma. Mr. Speaker, I yield 30 seconds to the gentleman from Pennsylvania [Mr. WALKER].

PARLIAMENTARY INQUIRY

Mr. WALKER. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. WALKER. Mr. Speaker, is the Obey motion before the House at the moment, the motion to disagree?

The SPEAKER pro tempore. The gentleman is correct.

PREFERENTIAL MOTION OFFERED BY MR. WALKER

Mr. WALKER. Mr. Speaker, I offer a preferential motion.

The SPEAKER pro tempore. The Clerk will report the preferential motion.

The Clerk read as follows:

Mr. WALKER moves that the House concur with the amendment of the Senate numbered 182.

The SPEAKER pro tempore. The question is on the preferential motion offered by the gentleman from Pennsylvania [Mr. WALKER].

The question was taken; and the Speaker pro tempore announced that the yeas appeared to have it.

Mr. WALKER. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point or order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas, 23, nays 234, not voting 174, as follows:

(Roll No. 375)

YEAS—23

Applegate	Dannemeyer	Schulze
Bartlett	Edwards (OK)	Smith, Robert
Barton	Gekas	(NH)
Bilirakis	Hefley	Solomon
Burton	Hunter	Torricelli
Combest	Kanjorski	Trafficant
Craig	Kasich	Upton
Crane	Nielson	Walker

NAYS—234

Akaka	Harris	Pease	Flake	Leath (TX)	Roe
Anthony	Hayes (IL)	Pelosi	Flippo	Levine (CA)	Rostenkowski
Archer	Hefner	Penny	Florio	Lewis (GA)	Roth
Ballenger	Henry	Pepper	Ford (MI)	Livingston	Rowland (GA)
Bateman	Herger	Perkins	Ford (TN)	Lott	Russo
Bellenson	Hertel	Pickett	Frank	Lowery (CA)	Savage
Bennett	Hochbrueckner	Porter	Frenzel	Luken, Thomas	Schaefer
Bentley	Hopkins	Price	Garcia	Lungren	Schroeder
Bereuter	Houghton	Rahall	Gaydos	Mack	Schuette
Berman	Hoyer	Rangel	Gephardt	MacKay	Schumer
Billray	Hubbard	Ravenel	Gibbons	Manton	Shuster
Billie	Hyde	Regula	Gingrich	Marlenee	Slaughter (NY)
Boehlert	Inhofe	Rhodes	Gradison	Martinez	Smith (FL)
Boggs	Ireland	Richardson	Grant	Matsui	Smith, Denny
Bonior	Johnson (CT)	Ridge	Gray (PA)	McCandless	(OR)
Boraki	Johnson (SD)	Rinaldo	Gregg	McCollum	Spence
Bosco	Jones (TN)	Ritter	Guarini	McCrery	Spratt
Brennan	Jontz	Roe	Gunderson	McCurdy	St Germain
Brooks	Kennelly	Rogers	Hamilton	McDade	Stenholm
Bruce	Kildee	Roukema	Hansen	McEwen	Stokes
Bustamante	Kolbe	Rowland (CT)	Hastert	Mica	Stratton
Byron	Konnyu	Rowbal	Hatcher	Miller (CA)	Studds
Callahan	Kostmayer	Sabo	Hawkins	Montgomery	Stump
Carper	Lagomarsino	Saiki	Hayes (LA)	Moorhead	Sweeney
Carr	Lancaster	Sawyer	Hiler	Morrison (CT)	Swindall
Chandler	Lantos	Saxton	Holloway	Murphy	Tauke
Chapman	Latta	Scheuer	Horton	Neal	Taylor
Chappell	Leach (IA)	Schneider	Huckaby	Nelson	Towns
Clement	Lehman (CA)	Sensenbrenner	Hughes	Nichols	Traxler
Clinger	Lehman (FL)	Sharp	Hutto	Nowak	Vander Jagt
Coble	Leland	Shaw	Jacobs	Ortiz	Volkmer
Coelho	Lent	Shays	Jeffords	Owens (UT)	Walgren
Coleman (MO)	Levin (MI)	Shumaway	Jenkins	Panetta	Waxman
Coleman (TX)	Lewis (CA)	Sikorski	Jones (NC)	Parris	Weiss
Collins	Lewis (FL)	Sisisky	Kaptur	Petri	Williams
Conte	Lightfoot	Skaggs	Kastenmeier	Pickles	Wilson
Cooper	Lipinski	Skeen	Kemp	Pursell	Wortley
Costello	Lloyd	Skelton	Kennedy	Quillen	Wythe
Coughlin	Lowry (WA)	Slatery	Kleczka	Ray	Yatron
Davis (IL)	Lujan	Slaughter (VA)	Kolter	Roberts	Young (FL)
DeLo	Lukens, Donald	Smith (IA)	Kyl	Robinson	
Dellums	Madigan	Smith (NE)	LaFalce	Rodino	
DeWine	Markey	Smith (NJ)			
Dickinson	Martin (IL)	Smith (TX)			
Dicks	Martin (NY)	Smith, Robert			
Dingell	Mavroules	(OR)			
DioGuardi	Mazzoli	Snowe			
Dorgan (ND)	McCloskey	Solarz			
Dornan (CA)	McGrath	Staggers			
Downey	McHugh	Stallings			
Dreier	McMillan (NC)	Stangeland			
Durbin	McMillen (MD)	Stark			
Dymally	Meyers	Sundquist			
Eckart	Mfume	Swift			
Emerson	Michel	Synar			
Engel	Miller (OH)	Tallon			
Erdreich	Miller (WA)	Tauzin			
Espy	Mineta	Thomas (CA)			
Evans	Moakley	Thomas (GA)			
Fawell	Molinar	Torres			
Fazio	Molihani	Udall			
Fields	Moody	Valentine			
Foglietta	Morella	Vento			
Foley	Morrison (WA)	Visclosky			
Frost	Mrazek	Vucanovich			
Gallely	Murtha	Watkins			
Gallo	Myers	Weber			
Gederson	Nagle	Weldon			
Gilman	Natcher	Wheat			
Glickman	Oaker	Whittaker			
Gonzalez	Oberstar	Whitten			
Goodling	Obey	Wise			
Gordon	Olin	Wolf			
Grandy	Owens (NY)	Wolpe			
Gray (IL)	Oxley	Wyden			
Green	Packard	Yates			
Hall (OH)	Pashayan	Young (AK)			
Hall (TX)	Patterson				
Hammerschmidt	Payne				

NOT VOTING—174

Ackerman	Boulter	Crockett
Alexander	Boxer	Darden
Anderson	Broomfield	Daub
Andrews	Brown (CA)	Davis (MI)
Annunzio	Brown (CO)	de la Garza
Armedy	Bryant	DeFazio
Aspin	Buechner	Derrick
Atkins	Bunning	Dixon
AuCoin	Campbell	Donnelly
Badham	Cardin	Dowdy
Baker	Cheney	Dwyer
Barnard	Clarke	Dyson
Bates	Clay	Early
Bevill	Coats	Edwards (CA)
Bohland	Conyers	Fascell
Bonker	Courter	Feighan
Boucher	Coyne	Fish

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Mr. UDALL changed his vote from "yea" to "nay."

Mr. BARTON of Texas changed his vote from "nay" to "yea."

So the preferential motion was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. GRAY of Illinois). The question is on the motion offered by the gentleman from Wisconsin [Mr. OBEY] to disagree to the Senate amendment to the Senate amendment No. 182.

The motion was agreed to.

A motion to reconsider the votes by which action was taken on the several motions was laid on the table.

LEGISLATIVE PROGRAM

(Mr. FOLEY asked and was given permission to address the House for 1 minute.)

Mr. FOLEY. Mr. Speaker, the distinguished Republican leader and I would like to inform the House of what we expect for the remainder of the evening and for next week. The other body has passed the District of Columbia appropriations bill, it is my understanding, and, of course, we have acted jointly on the Department of Defense authorization bill. The legislative bill is now under consideration in the other body, since the bill is entirely within the conference report, there are no amendments in disagreement. The vote in the other body will be up or down, and it is expected to be adopted.